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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.1701 OF 2005

Pravin Dattatraya Mhatre ... Petitioner

Vs.

Raman Pawar & Ors. ... Respondents

Mr. K.K. Malpathak for the petitioner.

Ms. Usha Purohit for respondent 1.

Mr. D.S. Mhaispurkar, A.P.P. for the State.

CORAM: SMT. RANJANA DESAI &
D.B. BHOSALE, JJ.

DATED: 9TH AUGUST, 2005.

P.C.:-

1. It is the case of the petitioner that he is married to one Sanyogita, daughter of respondent 1 Raman Pawar. According to him, the said Sanyogita is illegally detained by respondent 1 at his house in Pune. To ascertain whether the said Sanyogita is detained by respondent 1 in his house, we had directed the learned counsel for respondent 1 to produce the said Sanyogita in our court today. Accordingly, the said Sanyogita is present in the court. We interviewed her in our chamber. She categorically told us that she is staying with her father of her own free will and that she is not illegally detained by her father.

2. We have also interviewed the petitioner Pravin

Dattatraya Mhatre. We have also heard the learned counsel for the parties and the learned A.P.P. for the State.

3. In the circumstances of the case, since the said Sanyogita has told us that she is staying with respondent 1 of her own free will, she is not illegally detained by respondent 1 and she does not want to go to the petitioner, nothing survives in this petition. The petition has become infructuous and is disposed of as such.

4. We make it clear that we have not expressed any opinion as to whether the petitioner and said Sanyogita are legally married or not and the court where the proceedings are pending, shall decide the said issue independently on its own merit.

5. Rule discharged.

(SMT. RANJANA DESAI, J.)

(D.B. BHOSALE, J.)